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**OFFICIAL****FACSIMILE TRANSMISSION**

DATE: JUNE 7, 2004

TO: Hard Copy to Follow via Mail: NO

NAME	FAX NO.	PHONE NO.
USPTO - Amendments	703-872-9306	

FROM: Barbara M. Hayashi

RE:

OUR REF: 100302.0005US1	NUMBER OF PAGES, INCLUDING COVER: 10
01 OCTOBER 9867	
IRRIGATION CONTROLLER USING REGRESSION MODEL	
AQUA - JOHN ADDINK, ET AL.	

## MESSAGE:

Attached: (A) Transmittal Form; (B) Fee Transmittal (original and duplicate); (C) Petition for Extension of Time; (D) Response to Office Action (5 pages)

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PTO/SB/21 (04-04)

Approved for use through 07/31/2006 OMB 0651-0031  
U.S. Patent and Trademark Office, U S DEPARTMENT OF COMMERCE  
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FORM**

(To be used for all correspondence after initial filing)

		Application Number	10/009,867
		Filing Date	December 11, 2001
		First Named Inventor	John W. Addink
		Art Unit	2125
		Examiner Name	Ortiz Rodriguez
Total Number of Pages in This Submission	9	Attorney Docket Number	100302.0005US1

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension or Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below).
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Robert D. Fish; Rutan & Tucker
Signature	
Date	6/7/04

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450 on the date shown below

Typed or printed name	Barbara Hayashi		
Signature		Date	06/07/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U S Patent and Trademark Office, U S Department of Commerce, P.O Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O Box 1450, Alexandria, VA 22313-1450.

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# FEE TRANSMITTAL

## for FY 2004

Effective 10/01/2003 Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

Complete if Known

Application Number	10/009,867
Filing Date	December 11, 2001
First Named Inventor	John W. Addink
Examiner Name	Ortiz Rodriguez
Art Unit	2125
Attorney Docket No.	100302.0005US1

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account

Deposit Account Number

Deposit Account Name

502191

Rutan &amp; Tucker

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments Charge any additional fee(s) or any underpayment of fee(s) Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
<b>SUBTOTAL (1) (\$)</b>			

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
	-20** =	X	=
Independent Claims	- 3** =	X	=
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 88	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	-- Reissue independent claims over original patent
1205 18	2205 9	-- Reissue claims in excess of 20 and over original patent
<b>SUBTOTAL (2) (\$)</b>		

\*\* or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity Small Entity

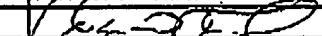
Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or claim	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication or SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication or SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	55.00
1252 420	2252 210	Extension for reply within second month	
1253 850	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1603 640	2603 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1808 180	1808 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 800	1802 900	Request for expedited examination or a design application	
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

55.00

(Complete if applicable)

Name (Print/Type)	Robert D. Fish	Registration No. (Attorney/Agent)	33880	Telephone	714-641-5100
Signature					
Date	June 7, 2004				

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE CENTRAL FAX CENTER  
WASHINGTON, D.C. 20231****RECEIVED****JUN 07 2004****Inventor:** Addink, John**Examiner:** Carlos Ortiz-Rodriguez**Serial No:** 10/009,867**Art Unit:** 2125**Filed:** 12/11/01**Attorney Docket No.:** 100302.0005US1**For:** Irrigation Controller Using  
Regression Model**RESPONSE TO OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The applicant would like to thank the examiner for the phone interview conducted on June 2, 2004. Although there was no specific agreement reached with regard to the language of the claims, the applicant considers the claim language submitted below to reflect the understanding of the parties.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** being on page 4 of this paper.

2077/100302-0005US1  
50052B 02A 00000604  
Application No. 10/009867  
Attorney Docket No. 100302 0005US1